

DOCKET NO: 257375US28



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

ADISAK MEKKITTIKUL, ET AL. : EXAMINER: HO, C. T.

SERIAL NO: 09/611,180 :

FILED: JULY 6, 2000 : GROUP ART UNIT: 2664

FOR: METHOD AND SYSTEM FOR :  
 WEIGHTED FAIR FLOW CONTROL IN  
 AN ASYNCHRONOUS METRO PACKET  
 TRANSPORT RING NETWORK

PEITITION TO REVIVE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

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SIR:

Applicants purchased the above-identified patent application, along with other intellectual property, from the prior assignee via an Acquisition Agreement signed on May 14, 2004. The six month anniversary of the last Official Action issued in this application was July 16, 2004. However, the files for the above-identified patent application were not transferred from the prior assignee's attorneys until August 10, 2004. Unexpected by Applicants, a response to the Official Action of January 16, 2004 was not included in these transferred files. Also, not included in these transferred files was an assignment that assigned the ownership rights of this application from the prior assignee to Applicants.

To correct this situation, Applicants obtained and filed a Certificate of Assignment on October 19, 2004. With the Certificate of Assignment now on file, Applicants hereby petition to revive said application as Applicants, the rightful owner of said application, had no intention to allow said application to become abandoned as Applicants purchased said

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Reply to Office Action of January 16, 2004

application for consideration. Applicants also file a terminal disclaimer herewith disclaiming any term equivalent to the period of abandonment of said application.

It is believed that the above discussion and documents enclosed herewith clearly prove that the abandonment of this application was unintentional.

Accordingly, it is requested the holding of abandonment be withdrawn and that prosecution be allowed to continue in the present application.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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